

On March 24, 1932, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of sixteen 5-pound cans of ether, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped in interstate commerce, on or about November 28, 1931, by H. S. Benedict Co. (Inc.), from New York, N. Y., to Seattle, Wash., and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Ether U. S. P."

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by tests laid down in the said pharmacopoeia, and its own standard was not stated on the label.

Misbranding was alleged for the reason that the statement on the label, "Ether U. S. P.," was false and misleading.

On June 30, 1932, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19664. Misbranding of Lekotoria. U. S. v. 23 Bottles of Lekotoria. Default decree of condemnation, forfeiture, and destruction. (8629-A. F. & D. No. 28299.)

Examination of the drug product Lekotoria involved in this action showed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed for it on the bottle labels.

On May 10, 1932, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel, and on May 24, 1932, an amended libel, praying seizure and condemnation of 23 bottles of Lekotoria, remaining in the original unbroken packages at Lackawanna, N. Y. It was alleged in the libel as amended that the article had been shipped in interstate commerce, on or about March 15, 1932, by the Karnack-Ambrosia Co., from Scranton, Pa., to Lackawanna, N. Y., and that it was misbranded in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of extracts of plant drugs including aloe, sugar, alcohol, and water.

Misbranding of the article was alleged in the libel as amended for the reason that the following statements appearing in the labeling, were false and fraudulent: (Bottle label, large) "Healing * * * Invaluable aid in treating the following ailments: Stomach trouble, catarrh of the stomach, kidney and liver trouble, piles, weak nerves, * * * rheumatic and gouty pains, lungs, inflammation and other ailments caused by improper digestion, * * * and weak and impure blood;" (bottle label, small) "Healing."

On June 17, 1932, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19665. Misbranding of Septigyn. U. S. v. Herbert A. Stolte and Robert W. Nichols (The N & S Co.). Pleas of guilty. Fines, \$200. (F. & D. No. 27437. I. S. No. 14245.)

This action was based on the interstate shipment of a quantity of a drug product known as Septigyn. Examination of the article disclosed no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed for it on the carton label and in a booklet shipped with the article.

On January 13, 1932, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against Herbert A. Stolte and Robert W. Nichols, copartners, trading as the N & S Co., Dallas, Tex., alleging shipment by said defendants in violation of the food and drugs act as amended, on or about November 29, 1930, from the State of Texas into the State of Kansas, of a quantity of Septigyn that was misbranded.

Analysis of a sample of the article by this department showed that it consisted essentially of zinc phenolsulphonate, sodium phenolsulphonate, copper phenolsulphonate, sodium sulphate, talc, and milk sugar.

It was alleged in the information that the article was misbranded in that certain statements, designs, and devices, appearing on the carton and in the booklet inclosed in the carton, falsely and fraudulently represented that it was effective as a safe cleanser for diseases peculiar to women; effective as a safe, sure, and speedy remedy for diseases peculiar to women; effective as a safe and certain preventive of disease; effective as the quickest and best known remedy for gonorrhea in both male and female; effective to prevent the contraction of gonorrhea; effective as a treatment, remedy, and cure for all diseases of the generative tract, such as leucorrhea, falling of the womb, adhesions, cervical lacerations, ovarian affections, and menstrual derangements; effective as a preventive of specific and infectious venereal diseases, chancroidal ulcers and syphilis; effective to relieve disease and disorders peculiar to women; effective to relieve general weakness, dispel gloom, depression, and despondency; effective to build up the weak and exhausted system, to change lassitude and weakness to vigor, improve the digestion and appetite, strengthen and harden the muscles, tone the system, and purify the blood; effective to arrest involuntary loss of vitality, to bring sound and restful sleep, to strengthen the muscular and nerve centers, to supply power and create blood, to tone the relaxed and weakened parts; effective as a treatment, remedy, and cure for suppressed menstruation, flooding, and painful menstruation and leucorrhea; effective to purify the blood and restore vivacity; effective to absorb the scar tissue resulting from laceration of the cervix; effective as a treatment, remedy, and cure for chronic inflammation and ulceration, pruritis, ovarian disorders and displacements, retroversion and prolapsus of the womb; and effective to relieve the suffering, shorten the period, and mitigate the danger of change of life, whereas the said article contained no ingredients or medicinal agents effective for the said purposes.

On March 8, 1932, the defendants entered pleas of guilty to the information, and the court imposed fines in the amount of \$200.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19666. Adulteration of morphine sulphate tablets. U. S. v. Meyer Bros. Drug Co. Plea of nolo contendere. Fine, \$50 and costs. (F. & D. No. 27453. I. S. No. 24282.)

This action was based on an interstate shipment of a drug represented to be one-fourth grain morphine sulphate tablets, samples of which were found to contain less than one-fourth grain of morphine sulphate.

On January 12, 1932, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against Meyer Bros. Drug Co., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the food and drugs act, on or about October 27, 1930, from the State of Missouri into the State of Louisiana, of a quantity of morphine sulphate tablets that were adulterated. The article was labeled in part: (Bottles) "100 Hypodermic Tablets, Morphine Sulphate, $\frac{1}{4}$ Grain, Meyer Brothers Drug Co., Manufacturing Chemists, Saint Louis."

It was alleged in the information that the article was adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, since each of said tablets was represented to contain one-fourth of a grain of morphine sulphate, whereas each of said tablets contained less than so represented, to wit, not more than 0.2199 of a grain of morphine sulphate.

On April 25, 1932, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19667. Misbranding of Z-G-Herbs. U. S. v. 23 Packages of No. 5 Z-G-Herbs, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 27704 to 27708, incl. I. S. Nos. 50008 to 50012, incl. S. No. 5782.)

This action involved the interstate shipment of drug products known as Z-G-Herbs, which consisted of five different products distinguished by the numbers 5, 12, 24, 31, and 51, respectively. Examination of the articles disclosed no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On February 8, 1932, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the